REMARKS

As a preliminary matter, Applicants wish to note for the record that the Examiner has filed the outstanding Office Action (Paper No. 27) without first substantively discussing the claims at issue with Applicants' representative, as has been requested by Applicants' representative numerously and repeatedly since February 2004. The Examiner agreed to interview the case as soon as he retrieved the file, and Applicants' representative was at all times ready, willing, and able to conduct the substantive interview. By filing the new Office Action rejecting the claims without completing the substantive interview, prosecution of this case has been unnecessarily slowed when these minor issues could have all been fully addressed in the substantive interview.

As a second preliminary matter, claim 170 stands objected to for inconsistent/unclear language. In response, Applicants have amended the typographical error noted by the Examiner in the fourth paragraph. The previous amendments to the fourth paragraph were meant to appear in the fifth. Reconsideration and withdrawal of this objection are therefore respectfully requested.

Claims 170-187 stand rejected in the outstanding Office Action only under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3 and 8-9 of Takeda et al. (U.S. 6,724,452). Applicants respectfully traverse this rejection because Takeda is the parent Application to the present Application. Therefore, a double patenting rejection is wholly inappropriate, in that the Examiner had already

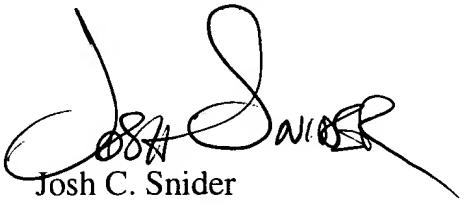
established a restriction requirement between the parent case and the present divisional Application, formally determining that the two Applications were distinct inventions from one another. Accordingly, Applicants submit that the outstanding Office Action should be vacated, and the rejection immediately withdrawn as a clear violation of the earlier restriction requirement.

Given that the erroneous double patenting rejection remains the only substantive rejection of the present case, Applicants presume that the Examiner has withdrawn all of the previous rejections that are no longer repeated, and that therefore this case should be in immediate condition for allowance, which is respectfully requested.

Should the Examiner find that any further issues exist related to patentability, the Examiner is invited to conduct a telephone interview with the undersigned attorney, as has been repeatedly and timely requested on several occasions.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By 

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